IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1128 OF 2006.
IN
CRIMINAL APPEAL NO. 275 OF 2006.

Ashok Bhimrao Pawar. ... Applicant.
Versus.
State of Maharashtra & another. ... Respondents.

Shri Sandesh Patil with Prashand Jadhav for the Applicant.
Ms.S.V.Gajare, A.P.P. for the Respondent-State.

CORAM : ABHAY S.OKA, J.
DATED : 20th November, 2006.

P.C.:

1. The conviction of the Applicant is for offence punishable under section 170, section 415 read with section 417 and section 420 of the Indian Penal Code. The maximum substantive sentence is five years R.I. The Applicant is in custody since 17th December 2004. Thus the Applicant has undergone sentence for a period of one year and 11 months. It is unlikely that the Appeal will be heard before the balance period of sentence is over.

2. Considering the facts and circumstances of the case, a case is made out for grant of bail. However, considering the nature of prosecution case and allegations against the Applicant, stringent conditions will have to be imposed. The order granting bail will be given effect only after the entire fine amount is paid.

3. Hence the following order is passed:

i) The Applicant shall be enlarged on bail in the sum of Rs.15,000/- with one or two local sureties in the like amount.

ii) The order granting bail will be given effect only after the Applicant produces the evidence to show that he has paid the fine amount payable in respect of all of the offences.

iii) The order granting bail will be given effect only after the Applicant furnishes to the concerned Jail Superintendent the complete address of his place of residence where he proposes to reside in the State of Karnataka after he is enlarged on bail.

iv) The bail is granted subject to condition that the Applicant will not enter the District Kolhapur, State of Maharashtra, till disposal of the Appeal, except for marking attendance as directed by this Court.

v) The bail is granted subject to condition that the Applicant will mark attendance with Jaisingpur Police Station, Jaisingpur, Taluka Shirol, Dist. Kolhapur, on every first Saturday of every calender month till the disposal of the Appeal.

Judge.